



CANNON BUILDING  
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**STATE OF DELAWARE  
REAL ESTATE COMMISSION**

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<b>PUBLIC MEETING MINUTES:</b>	<b>REAL ESTATE COMMISSION SUBCOMMITTEE</b>
<b>MEETING DATE AND TIME:</b>	<b>Thursday, June 12, 2014 at 10:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second floor of the Cannon Building
<b>MINUTES APPROVED:</b>	July 10, 2014

**MEMBERS PRESENT**

Michael Harrington  
Christopher J. Whitfield  
Rick Allamong  
Andy Staton

**DIVISION STAFF/ DEPUTY ATTORNEY GENERAL**

Eileen Kelly, Deputy Attorney General  
Sandra Wagner, Administrative Specialist III

**ALSO PRESENT**

Denise Tatman, DAR

**CALL TO ORDER**

Mr. Harrington called the meeting to order at 11:30 a.m.

**REVIEW AND APPROVAL OF MINUTES**

The Subcommittee reviewed the minutes from the May 8, 2014. A motion was made by Mr. Whitfield, seconded by Mr. Allamong, to approve the minutes. By unanimous vote, the motion carried.

**NEW BUSINESS**

**OLD BUSINESS**

Mr. Whitfield passed out documents that he prepared for the discussion of the "Auctioneer Exemption." Mr. Whitfield's document shows where in the rules and regulations the exemption for "auctioneer" can be added to go with what is currently in the statute. Mr. Whitfield is trying to bring together some of the language that the Auctioneers are proposing in their Bill so the definitions match. Mr. Whitfield stated that he has another document that he wrote up which is a little different than the first one.

Ms. Tatman brought a copy of the new HB 406 that will be introduced to the House. After the subcommittee reviewed the Bill, the subcommittee discussed that if the Bill passes into legislation that some of the rules and regulations that they are working on will be moot.

Mr. Allamong asked Mr. Whitfield if he could update his documents with what was discussed today and then send it out for the subcommittee to review before the next meeting.

**OTHER BUSINESS BEFORE THE SUBCOMMITTEE (for discussion only)**

Mr. Allamong spoke about his attendance to the Sussex County MLS meeting. He attended as an individual and not as a Commissioner. Mr. Allamong's concern was that since the statute and the rules and regulations changed, real estate went from being a presumed seller's agency to a presumed buyer's agency and presumed dual agency. A builder engages with a broker to list on the MLS. The builder has employees that greet the public and who are not licensed. The problem Mr. Allamong sees in protecting the public is that the MLS site suggests that buyers will be represented by a licensee and this is not happening at new construction locations. On the MLS site the potential buyer will see a broker's name, not the names of the builder or the builder's salespersons.

Mr. Whitfield suggested that a disclosure of some sort could be used from the broker disclosing that the listing agent will not be on site but the builder's agent will be. Under section 9.0 of the regulations, the Commission could develop a new form that needs to be presented in these situations. Mr. Allamong will provide further information at the next meeting.

**PUBLIC COMMENT**

There was no public comment.

**NEXT SCHEDULED MEETING**

Next meeting – July 10, 2014

**ADJOURNMENT**

Mr. Staton made a motion, seconded by Mr. Whitfield to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 11:45 a.m.

Respectfully submitted,



Sandra Wagner  
Administrative Specialist III

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*